

Exhibit O



DATE: 9-May-16

TO: Internal Affairs Bureau, Records Unit, 315 Hudson Street New York, NY 10013

SUBJECT: CASE CLOSING

IAB LOG #	M-CASE #	INVESTIGATING UNIT CASE#
16-07815, 16-14624	16-0574	16-090

CASE INVESTIGATOR (PRINT) Sergeant Buxton Pryor

CASE SUPERVISOR (PRINT) Lieutenant Alfred Vargas

DATE OF INCIDENT: 03/04/16 DATE OF COMPLAINT: 3/4/2016

DATE CASE ASSIGNED 3/8/2016 DATE CASE CLOSED: 5/9/2016

CHECK ONE BOX FOR OVERALL DISPOSITION:

<input checked="" type="checkbox"/> SUBSTANTIATED	<input type="checkbox"/>	EXONERATED	<input type="checkbox"/>	PARTIALLY SUBSTANTIATED
<input type="checkbox"/> UNSUBSTANTIATED	<input type="checkbox"/>	UNFOUNDED	<input type="checkbox"/>	INFORMATION & INTELLIGENCE
			<input type="checkbox"/>	OTHER MISCONDUCT NOTED

The allegation(s) have been closed as follows for each Subject MOS:

Rank	NAME	TAX#	CMD	Allegation	Disposition	Penalty
PO	Dolcine	Ricardo	948900	43 Dispute—Off Duty (Not Domestic)	Info & Intel	N/A
PO	Dolcine	Ricardo	948900	43 Suspended MOS—Domestic—Non-IAB	Info & Intel	N/A
PO	Dolcine	Ricardo	948900	43 Suspended To Modified	Info & Intel	N/A
PO	Dolcine	Ricardo	948900	43 Dispute – Traffic (Off Duty)	Substantiated	C & S
PO	Dolcine	Ricardo	948900	43 Other Dept Rules / Procedures Violation	Substantiated	C & S
PO	Dolcine	Ricardo	948900	43 Charges & Specifications	Info & Intel	N/A

The Case folder will be filed/stored at:

SIGNATURE OF INVESTIGATOR:

DATE:

SIGNATURE OF COMMANDING OFFICER:

DATE:

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PATROL SERVICES BUREAU
M CASE INVESTIGATION FINAL REPORT

 Instructions: This report will be prepared (typed) for all M case allegations forwarded for investigation. The Borough Commander will forward complete reports in a confidential manner to the Commanding Officer, Investigation and Evaluation Section. Investigating commands will indicate additional subjects/witnesses/complainants etc. on attachments when existing space is insufficient. Case folders will be kept on file at the investigating command for inspection upon request.

PART I - GENERAL INFORMATION

Investigating Unit: Bronx Investigations Unit

M #: **M-16-0574**I.A.B. Log #(s): **16-07815, 16-14624**

P.C. #:

Chief of Dept. #:

P.S.B. #:

Borough #:

Investigating Unit #: **16-090**

Case Classification as Determined by the Borough Commander

Full Investigation and Report:

Substantiated

(Full Investigation and Report classification requires the Case Investigator to complete all sections of this report. Information and Intelligence classification requires entries in Sections I, II, VI, VII.)

Case Investigator: Sergeant Buxton Pryor

Case Supervisor: Lieutenant Alfred Vargas

Date of Allegation: 03/04/16

Date Case Assigned: 03/09/16

Date Invest. Concluded: 05/09/16

Date of Final Report: 05/09/16

Allegation(s): List each allegation made by the complainant. Include additional allegations, which surfaced during the investigation.

Dispute – Off Duty (Not Domestic)**Suspended MOS – Domestic – Non-IAB****Suspended To Modified****Dispute – Traffic (Off Duty)****Other Dept Rules / Procedures Violation****Charges & Specifications****D 00516**

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Incident

Time: 0810

Date: 03/04/16

Precinct: 32

Sector: N/A

Beat: N/A

Members On/Off Duty:

Is incident ongoing? No

Police / Complainant contact initiated by: **Police**

Type of Assignment:

PART II - COMPLAINANT INFORMATION

Anonymous? N/A

Interviewed? N/A

Name: N/A

Address: N/A

PART III - CIVILIAN WITNESS INFORMATION

Total # of Witnesses: 00

Number Interviewed: 00

Name:

Telephone#:

Address:

Name:

Telephone#:

Address:

Name:

Telephone#:

Address:

PART IV - MEMBER OF THE SERVICE WITNESSES

Total # of M.O.S./Witnesses: 03

Number Interviewed: 03

Rank: PO	Name: Donahue, Kerin	Tax# 954746	Command: 32
Rank: PO	Name: Hanson, Richard	Tax# 954916	Command: 32
Rank: Sgt.	Name: Ruffin, Tomeka	Tax# 931110	Command: 32

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PART V - INVESTIGATIVE STEPS TAKEN

Instructions: Include whether or not the investigative steps listed below were initiated during the course of this investigation by indicating (Y)es or (N)o. Identify (by number) the work sheet, which details each investigative step taken in the space provided. If additional steps were taken which are not indicated in the list provided, identify the step and indicate the work sheet number in the Additional Comments section.

Interviews of:

Complainant	N/A	W/S#s	
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Witnesses		W/S#s	
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Other Civilians		W/S#s	
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Canvass		W/S#s	
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Records Reviewed	Y	W/S#s	6
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Observations		W/S#s	
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Conferrals	Y	W/S#s	4
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Referrals		W/S#s	
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Interviews of:

Subject Officers	Y	W/S#s	*
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Other Members	Y	W/S#s	*
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Civilian Members	N	W/S#s	
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Additional Comments: *GO 15 of S/O and W/O's conducted on date of incident.

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PART VI - SUBJECT INFORMATION (MEMBERS OF THE SERVICE)

Total # of Subjects Identified: 01

Number Interviewed: 01

Subject # 1

How Identified? **Investigation**

Rank: P.O. Name: Dolcine, Ricardo Tax#: 948900 Shield # 1493 Command: 043 Pct

Date of Appointment: 07/06/2010

At the time of the incident, the subject was assigned: Patrol

On/Off Duty Pct.

Squad/Unit: Post: Tour:

Disposition/Disciplinary Action: **Suspension**Change of assignment, which occurred as a result of this investigation: **Viper 8**

Subject # 2

How Identified?

Rank: P.O. Name: Tax #: Shield# Command:

Date of Appointment:

At the time of the incident, the subject was assigned:

On/Off Duty: Pct.

Squad/Unit: Post: Sect: Tour:

Disposition/Disciplinary Action:

Change of assignment, which occurred as a result of this investigation:

Subject # 3

How Identified?

Rank: Name: Tax Reg:

Command: Date of Appointment:

At the time of the incident, the subject was assigned:

On/Off Duty: Pct. Uniform/Civilian Clothes:

Squad/Unit: Post: Tour:

Disposition/Disciplinary Action:

Indicate any change of assignment, which occurred as a result of this investigation:

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PART VII - INVESTIGATIVE FINDINGS

Case Disposition: **SUB (X)** PARTSUB. () UNSUB (). EXON () UNFOUNDED () OTHER MISCONDUCTED NOTED () INFORMATION AND INTELLIGENCE

Disciplinary Action: Charges & Specifications

Summary of investigative findings: Briefly summarize the investigation. Address each allegation listed in Part I. (In cases designated for Information and Intelligence indicate the rationale for such a designation.)

Investigation into this matter is concluded. On Friday, March 04, 2016, at approximately 0810 hours, Police Officer Kerin Donahue, tax registry #954746, and Police Officer Richard Hanson, tax registry #954916, assigned to 32nd Precinct Sector Charlie, observed off-duty Police Officer Ricardo Dolcine, tax registry #948900, shield #1493, assigned to the 43rd Precinct, commit a traffic violation while operating his personal vehicle. The officers were conducting observations of the intersection of West 140th Street and Lenox Avenue when they observed Officer Dolcine make a left turn onto West 139th Street, without signaling, and in violation of the clearly posted traffic sign prohibiting left turns between 0700 hours and 1000 hours.

During a traffic stop, Officer Hanson approached Officer Dolcine's vehicle and requested Officer Dolcine to provide his driver's license, registration, and proof of insurance. Officer Dolcine, in response, asked why he was being stopped. Officer Dolcine continued to argue the validity of the stop, yelling at Officer Hanson. Officer Hanson, now joined by Officer Donahue, at the driver's side window, attempted to explain the reason for the car stop. Officer Dolcine denied committing the observed traffic violations instead claiming that the traffic sign prohibiting the left turn did not exist and further accused Officers Hanson and Donahue of harassing him.

Officer Dolcine refused to listen to the officer's explanations, and demanded that the officers either write him a summons or have a supervisor respond to the location. Officer Hanson then requested the response of the Patrol Supervisor, Sergeant Tomeka Ruffin, tax registry #931110, to respond to the location. Sergeant Ruffin responded to the scene and subsequently notified Captain Seth Lynch, Executive Officer of the 32nd Precinct, in regards to this incident. Sergeant Ruffin determined at the scene that Officer Dolcine had committed a moving violation and she took photos of the signs (No left Turn) at the scene. Additionally, video footage depicting the incident was obtained. Sergeant Ruffin had all parties respond to the 32nd Precinct stationhouse. Officer Dolcine was not issued a summons at the scene.

This incident was investigated by Captain William Burke, Patrol Borough Manhattan North Duty Captain, with the assistance of the Patrol Borough Manhattan North Investigations Unit. At approximately 1500 hours, Officer Dolcine was suspended from duty as a result of his conduct during the aforementioned confrontation with uniformed on-duty members of the service.


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Based on the above, the investigation revealed that there is sufficient evidence to prove that while off duty and the subject of a lawful traffic stop, Police Officer Dolcine was belligerent, argumentative, and discourteous to on-duty members of the service for no legitimate reason. Police Officer Dolcine wrongfully questioned the authority of on-duty members of the service who had stopped him for a legitimate violation of the New York State Vehicle and Traffic Law and additionally failed to comply with the officers' lawful orders. To that end, the undersigned has met and reviewed the case with Beth Douglass of the Department Advocate's Office to direct the preparation of Charges & Specifications. The I/O therefore recommends that this case be marked closed with an overall disposition of **Substantiated**. There were no supervisory deficiencies noted during this investigation.

<u>MOS</u>	<u>ALLEGATION</u>	<u>DISPOSITION</u>	<u>PENALTY</u>
PO Dolcine	Dispute—Off Duty (Not Domestic)	Info & Intel.	N/A
PO Dolcine	Suspended MOS—Domestic—Non-IAB	Info & Intel.	N/A
PO Dolcine	Suspended To Modified	Info & Intel.	N/A
PO Dolcine	Dispute – Traffic (Off Duty)	Substantiated	N/A
PO Dolcine	Other Dept Rules / Procedures Violation	Substantiated	N/A
PO Dolcine	Charges & Specifications	Info & Intel.	N/A

Signature of Case Investigator: Signature of Case Supervisor: Signature of Investigations Unit Commander: Signature of Borough Commander: Date forwarded to: Investigation and Evaluation Section  09/18/16

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